

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**

MARK DIRUSSO and  
LAURIE DIRUSSO

Plaintiffs,

v.

RYAN P. GIVEY,

Defendant

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

C.A. No. N15C-03-030 CLS

March 18, 2016

On Defendant Ryan P. Givey's Motion for Reargument Pursuant to Superior Court  
Civil Rule 59(e). **DENIED.**

**ORDER**

Frederick S. Freibott, Esquire and Dennis A. Mason, II, Esquire, 1711 East  
Newport Pike, P.O. Box 6168, Wilmington, DE 19804. Attorneys for Plaintiffs  
Mark DiRusso and Laurie DiRusso.

Donald M. Ransom, Esquire, and Michael J. Hendee, Esquire. Casarino,  
Christman Shalk Ransom & Doss, P.A., 405 North King Street, Suite 300, P.O.  
Box 1276, Wilmington, Delaware 19899. Attorneys for Defendant Ryan P. Givey.

**Scott, J.**

Defendant has presented to the Court a Motion for Reargument. The Defendant has failed to show that the Court has overlooked any precedent or legal principal that would have a controlling effect or misapprehended any law or fact.

It's well settled law that a defendant who elects to plead guilty to a criminal offense gives up fundamental constitutional rights, including the right to be presumed innocent until determined guilty beyond a reasonable doubt, the guarantee against self-incrimination and the right to confront one's accusers.<sup>1</sup> In this case, the questions presented to the Court involved the same core issues that the defendant pled guilty to. Therefore, Defendant has waived his right of self-incrimination.

The specific questions that the Court ordered the defendant to answer do not seek to intrude of a doctor/patient communication. Therefore, they have no bearing on the Physician/Patient privilege.

In reviewing the motion and the response, the Motion is **DENIED**.

**IT IS SO ORDERED.**

/s/Calvin L. Scott  
**Judge Calvin L. Scott, Jr.**

---

<sup>1</sup> *State v. McDonald*, 47A.3d 669 211 NJ 4 (NJ Sup.Ct 2012)